

Reply to Office Action of June 27 2005
Amendment Dated: August 16, 2005

Appl. No.: 09/785,884
Attorney Docket No.: CSCO-002/94701

REMARKS

Claims 1-66 were examined in the Final Office Action mailed 06/27/2005 ("Outstanding Office Action"). All the claims were rejected under 35 U.S.C. § 103(a) as being unpatentable over Ketcham (U.S. Patent Number 6,721,334) in view of Pereira (U.S. Patent Number 5,781,726). Reconsideration is respectfully requested further in view of the following remarks.

With respect to claim 1, it was stated in the Outstanding Office Action:

The applicant's statement that Pereira's system differs from the aggregation of the present invention because it "would resort to blocking of polling traffic for traffic optimization" is *irrelevant when considering Pereira's keep-alive messages in combination with the aggregation processing of Ketcham*.
(Page 3 lines 11-14, Final Office Action Dated 06/27/2005, *Emphasis Added*)

It is respectfully submitted that the Examiner is wrong in contending that the Pereira's blocking feature is irrelevant when considering Pereira's keep-alive messages in combination with the aggregation processing of Ketcham. The relevance is that it would establish that the references cannot be combined to render obvious previously presented claims.

In particular, attempts to combine the Pereira and Ketcham as claimed in claim 1, would be inconsistent with the intended purpose/function of Pereira, and thus there would not be the necessary motivation to combine the references as claimed. Such combinations would not establish prima facie case of obviousness under 35 U.S.C. § 103. See, for example, MPEP § 2143.01 entitled, "The Proposed Modification Cannot Render the Prior Art Unsatisfactory for its Intended Purpose" and "The Proposed Modification Cannot Change the Principle of Operation of a Reference".

Here, claim 1 recites that, "... generating in said aggregation device *an aggregated request packet which indicates that the status of said PPP sessions is requested*; and *sending said aggregated request packet* on said communication network to a peer aggregation device." (Previously presented claim 1, *Emphasis Added*).

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In other words, the aggregated request packet sent according to claim 1 would indicate that the status of multiple PPP sessions is requested.

In sharp contrast, as explained in the Applicant's response mailed on April 7 2005, Pereira would block the keep-alive messages from several sessions (conveniently referred to as "non-polling sessions" hereafter) while forwarding only the messages from one session ("polling session").

As the techniques of Pereira would require blocking of keep-alive messages from the non-polling sessions, Pereira would provide a dis-incentive (not the necessary motivation) to aggregate the keep-alive messages in Ketchem.

Furthermore, trying to send (additional) information regarding the non-polling sessions (as would be required for aggregated request packet of claim 1) would be inconsistent with the objective of optimizing and reducing polling traffic (see, for example, lines 2-5 of Abstract of Pereira) of Pereira, and thus combining Ketcham and Pereira would be improper/impermissible.

Accordingly, claim 1 is allowable over the art of record. The remaining independent claims are also allowable at least for reasons noted above. The presented dependent claims are allowable at least as depending from corresponding allowable base claims.

Claim 2 is also allowable independently over the art of record. With respect to claim 2, it has been stated that:

... Pereira discloses a response poll (or reply packet) that indicates the status of a session, as discussed in the previous citation, column 6, lines 1-6, and elsewhere. *Taking into consideration this reply packet with the aggregation processing of Ketcham, an aggregated reply clearly results.*
(Page 4 lines 8-12, Final Office Action Dated 06/27/2005, *Emphasis Added*)

It is respectfully noted that the response poll of Pereira would be for a single polling

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session, and the response poll for that single polling session would be used by Pereira with respect to remaining non-polling sessions passing through the first edge device of Pereira.

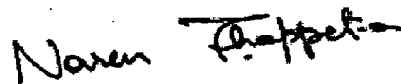
Thus, it appears that there would not be any reply packets of Pereira for the system of Ketcham to aggregate.

5 At least for such a reason (in addition to some of those presented with respect to claim 1), claim 2 is independently allowable over the art of record.

Conclusion

10 Thus, all the objections and rejections are believed to be overcome, and that all the presented claims are in condition for allowance over the art of record. The Examiner is invited to telephone the undersigned representative if it is believed that an interview might be useful for any reason.

Respectfully submitted,



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